

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHN WILEY & SONS, INC.,	:	X
Plaintiff,	:	
v.	:	1:11-CV-05454-KPF
DRK PHOTO, a sole proprietorship,	:	ECF Case
Defendant.	:	
DRK PHOTO, a sole proprietorship,	:	
Counterclaimant,	:	
v.	:	
JOHN WILEY & SONS, INC.	:	
Counterdefendant.	:	

**THIRD DECLARATION OF AUTUMN WITT BOYD**

I, Autumn Witt Boyd, hereby declare pursuant to 28 U.S.C. § 1746:

1. I am an attorney employed by Harmon & Seidman LLC, counsel for Defendant and Counter-claimant DRK Photo (“DRK”). I have personal knowledge of the matters herein and if called upon could testify to them.
2. Attached hereto as Exhibit 1 is a true and correct copy of relevant excerpts from the June 6, 2013 deposition of James H. Pickerell.
3. Attached hereto as Exhibit 2 is a true and correct copy of relevant excerpts from the April 17, 2013 Rule 30(b)(6) deposition of Lisa Suarez on behalf of John Wiley & Sons, Inc. (“Wiley”).
4. Attached hereto as Exhibit 3 is a true and correct copy of relevant excerpts from the June 18, 2012 Rule 30(b)(6) deposition of Lisa Suarez on behalf of Wiley in *DRK Photo v. Wiley*,

AAA No. 76 143 00193 11.

5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the deposition of Daniel Krasemann in *DRK Photo v. Wiley*, AAA No. 76 143 00193 11.

6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts from the February 18, 2013 deposition of Daniel Krasemann.

7. Attached hereto as Exhibit 6 is a true and correct copy of correspondence between DRK and Wiley employee Hilary Newman and two pricing agreements (the latter of which was extended for one year), which DRK produced in discovery in *DRK Photo v. Wiley*, AAA No. 76 143 00193 11.

I declare under penalty of perjury that the foregoing is true and correct.

Autumn Witt Boyd  
Autumn Witt Boyd

DATE: 8/8/13